

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
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Review of the Emergency Alert System) EB Docket No. 04-296
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**REPLY COMMENTS OF THE NATIONAL PUBLIC SAFETY
TELECOMMUNICATIONS COUNCIL**

The National Public Safety Telecommunications Council (NPSTC) submits these Reply Comments in response to the Commission's *Further Notice of Proposed Rulemaking* (FNPR) addressing the Emergency Alert System (EAS).¹ NPSTC believes one of the greatest challenges facing EAS is its integration into state and local emergency response.

Several interests submitting comments echo the challenge to make EAS relevant at the state and local level and the need for a coordinated effort by local, state and federal agencies. BellSouth Entertainment, LLC noted the need for the Commission to work with the Department of Homeland Security (DHS), including the Federal Emergency Management Agency, to ensure coordination with the several ongoing projects addressing emergency communications.² RadioShack Corporation expressed the need for weather information of the National Oceanic and Atmospheric Administration to be part of early warning systems and that state and local governments have ready access to this

¹ In the Matter of the Review of the Emergency Alert System, *First Report and Order and Further Notice of Proposed Rulemaking*, FCC 05-191, EB Docket 04-296 (November 10, 2005).

² Comments of BellSouth Entertainment, LLC at page 3 (January 24, 2006)

information.³ Cox Broadcasting, Inc. urged the Commission to work closely with other government agencies so that there is a clear understanding of management authorities and the ability to activate an alert.⁴ The US Geological Survey of the Department of the Interior addressed its statutory role to issue disaster warnings for earthquake, volcanic eruption, landslide or other geologic catastrophes. While the comments of private entities may reflect their particular interests, NPSTC agrees with the fundamental that it is crucial for EAS to engage local and state governments and promote structures to ensure that it operates effectively.

NPSTC reiterates its position that the current EAS system is not capable of providing timely and discrete information to localized sectors of the public and first responders so that reasoned decisions can be made in preparing and responding to an emergency. NPSTC believes that the framework to meet this challenge lies in the Commission working with DHS and other federal agencies, industry, and most significantly, state and local governments, to establish a structure whereby EAS is a dependable mode of communication able to deliver information to discrete populations and ultimately relied upon in emergency circumstances. The Commission's own Advisory Committee, the Media Security and Reliability Council (MSRC), made the same recommendation in its reports to the Commission.⁵

Emphasizing the importance of the challenge is a provision in the recently enacted budget reconciliation legislation. Section 3010 of Public Law 109-171, the Deficit Reduction Act of 2005, states that the Assistant Secretary of Commerce, Administrator of

³ Comments of RadioShack Corporation at page 7-8 (January 24, 2006).

⁴ Comments of Cox Broadcasting, Inc. at page 6 (January 24, 2006).

⁵ Media Security and Reliability Council, Public Communications Safety Working Group, *Final Report* (February 18, 2004) (MSRC Final Report), See also Media Security and Reliability Council, Public Communications Safety Working Group, *Interim Report* (May 16, 2003) at 12-13.

the National Telecommunications and Information Administration (NTIA), shall make payments up to \$156,000,000 from the revenues of the newly established Digital Television Transition and Public Safety Fund to implement a unified national alert system capable of alerting the public, on a national, regional, or local basis to emergency situations by using a variety of communications technologies. Amounts up to \$50,000,000 shall be used to implement a tsunami warning and coastal vulnerability program. NPSTC urges the Commission to pursue with NTIA, DHS and other agencies, the important mandate of section 3010 and that this proceeding be integrated with its objective to bring EAS to reality at the community level.

Conclusion

The most fundamental challenge facing EAS is its availability to local communities as a dependable means to provide information to the public and to police, fire, emergency medical and emergency management services. The Congress, through section 3010 of the Deficit Reduction Act of 2005, through the Commission's Media Security and Reliability Council and in the comments submitted in this proceeding urge the Commission to confront the enormous gap between EAS' objective and reality. Only a

concerted and coordinated effort by the FCC with the Department of Homeland Security, the National Telecommunications and Information Administration, other federal agencies and state and local governments can make EAS a resource that can be depended on.

Respectfully submitted,

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